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Victim Rights Advocate

November 4, 2011

Re: House Bill 5095

Dear Senators and Representatives:

This letter is to express our opposition to House Bill 5095 and eliminating a Circuit Court Judge by attrition in the 41st Circuit. By eliminating a Circuit Court Judge, we will have great difficulty securing trial dates for our felony cases. Incarcerated felony defendants that are not tried within 180 days are entitled to release, causing us grave concern about our community's safety. Even with two Circuit Court Judges we are often hard pressed to schedule trials within 180 days, especially multi-day trials. Having one less Circuit Judge in a circuit that is over 100 miles long will also leave our county without a judge to address felony matters for lengthy periods of time while they handle matters in other counties. Our county simply lacks the resources to implement and install technology that would allow us to conduct hearings in front of a judge traveling across the circuit.

Our primary concern is the effect House Bill 5095 will have on the victims of crime. One less judge can only delay a case for a victim, especially when it comes to a trial. Delay will cause issues with witnesses' memories and evidence and ultimately affect a victim's right to justice. No argument can be made that having fewer judges will benefit those who are victims of crimes.

Thank you for your attention to this matter.

Very Truly Yours,

The Dickinson County Prosecuting Attorney's Office

A handwritten signature in blue ink, reading "Stephanie S. Brule", is written over the typed name of the prosecuting attorney.